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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Hemant Madan

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2142

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/531,534

Applicant(s)

MADAN ET AL.

Examiner

Douglas B. Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 and 19-35 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-17 and 19-35 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/20/07.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-17 and 19-35 are currently pending in this application.

### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The computer readable medium claimed in claim 12 is not described in the applicant's specification. The specification only describes a storage medium (See page 9, line 8 and page 13, lines 1-2 of the applicant's specification).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 12-13, 15-17, 20-21, 23-25, 28-30, and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,600,725 to Roy in view of U.S. Patent Number 5,404,488 to Kerrigan (From IDS filed 3/20/2007).

5. As to claim 1, Roy teaches a method comprising: a content server receiving information from at least one content provider (col. 2, lines 25-47); sending at least one portion of the information to a user terminal for display in the user terminal (col. 2, lines 25-47); the content

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server determining if any of the at least one portion of the information has changed by identifying one or more differences between the at least one portion of the information and prior information from the at least one content provider that has changed (col. 6, lines 16-29 and col. 8, lines 39-44); and transmitting to the user terminal the information from the at least one content provider that has changed, the changed information being real-time information (col. 6, lines 16-29 and col. 8, lines 39-44); however Roy does not explicitly teach transmitting to the user terminal the information from the at least one content provider that has changed without also transmitting unchanged information. Roy does not specify how the updated data is transmitted to the terminal other than stating that the updates occur in a banner format (col. 8, line 43).

Kerrigan teaches a method comprising: a Real Time Engine (Figure 1) receiving information from at least one content provider (Feed servers in Figure 1); sending at least one portion of the information to a user application for display in the user application (Figure 1); the Real Time Engine determining if any of the at least one portion of the information has changed by identifying one or more differences between the at least one portion of the information and prior information from the at least one content provider that has changed (col. 2, lines 5-14); and transmitting to the user application the information from the at least one content provider that has changed without also transmitting unchanged information, the changed information being real-time information (col. 2, lines 15-29).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Roy regarding providing real time updates to terminals with the teachings of Kerrigan regarding transmitting to the user application the information from the at least one content provider that has changed without also transmitting

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unchanged information because sending only the changed information relieves the application of the burden of having to filter out desired information (Kerrigan, col. 2, lines 30-39).

6. As to claim 2, Roy teaches the information comprising a plurality of real-time data values from the content provider (col. 6, lines 16-29).

7. As to claim 3, Kerrigan teaches a method wherein the updating of information from the content provider comprises accessing a hash table containing a plurality of prior real-time data values using a plurality of keys associated with the plurality of real-time data values (col. 9, line 58-col. 11, line 22); determining whether the plurality of real-time data values received from the content provider has changed from the prior plurality of real-time data values contained in the hash table (col. 9, line 58-col. 11, line 22); and updating the prior plurality real-time data values contained in the hash table with the plurality of real-time values received from the content provider when the plurality of real-time data values received from the content provider has changed from the plurality of prior real-time data values contained in the hash table (col. 9, line 58-col. 11, line 22).

8. As to claim 4, Kerrigan teaches a method wherein the transmitting of the plurality of real-time data values that have been updated in the hash table to the user terminal further comprises: activating a data thread when a real-time data value of the plurality of prior real-time data values is updated in the hash table (col. 9, line 58-col. 11, line 22); Roy teaches a method of determining the position on a screen of the user terminal corresponding to the real-time data value (col. 8, lines 39-44); transmitting the real-time data value to the user terminal for display on the screen of the user terminal in the position indicated (col. 8, lines 39-44). The combination of Kerrigan and Roy is obvious for the reason discussed in the rejection of claim 1.

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9. As to claim 5, Kerrigan teaches a method wherein the activating step comprises activating the data thread using remote method invocation (col. 6, lines 11-39).

10. As to claim 12, it is directed to the content server of the system claim 1 and is therefore rejected for the same reason as the system of claim 1.

11. As to claim 13, it is rejected for the reasons as claim 3.

12. As to claims 15-17, they are rejected for the same reasons as claims 4-5 and 7-10.

13. As to claims 20-21 and 23-25, they feature the same limitations as claims 12-13 and 15-17 and are therefore rejected for the same reasons.

14. As to claim 28, it corresponds to the server in claim 1. The specifically claimed interfaces are shown both in Figure 1 of Roy and Figure 1 of Kerrigan.

15. As to claims 29-30 and 32-34, they are rejected for the same reasons as claims 3-5 and 7-10.

16. As to claim 35, it features the same limitations and is rejected for the same reasons as claims 1 and 3.

17. Claims 6-11, 14, 19, 22, 27, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,600,725 to Roy in view of U.S. Patent Number 5,404,488 to Kerrigan in further view of U.S. Patent Number 6,035,287 to Stallaert et al.

18. As to claim 6, the Roy-Kerrigan combination combines to make claim 3 obvious; Kerrigan teaches spawning a Real Time Engine thread in response to receiving a connection request from a user application (col. 6, lines 11-39); retrieving by the data thread a user defined portfolio containing a plurality of keys (col. 6, lines 11-39); monitoring the plurality of keys contained in the user defined portfolio (col. 6, lines 11-39); and identifying currently active keys

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of said plurality of keys (col. 6, lines 11-39); however, the Roy-Kerrigan combination does not explicitly teach generating an activated HTML page containing an embedded applet and sending the activated HTML page to the user terminal.

Stallaert teaches a method of updating a terminal with real-time data comprising generating an activated HTML page containing an embedded applet and sending the activated HTML page to the user terminal (col. 13, line 66-col. 14, line 18 and Figure 7).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Roy-Kerrigan combination regarding the monitoring of real-time data with the teachings of Stallaert regarding the use of an applet embedded in an HTML page to update real-time data because such a system can be used on any ubiquitous Java capable web browser (Stallaert, col. 14, lines 2-5).

19. As to claim 7, Kerrigan teaches a method comprising: reading the currently active keys; determining if the currently active keys have changed (col. 9, line 58-col. 11, line 22); updating the hash table with the real-time data values for currently active keys (col. 9, line 58-col. 11, line 22); and transmitting real-time values for the currently active keys that have changed from the hash table to the user terminal (col. 9, line 58-col. 11, line 22).

20. As to claim 8, Kerrigan teaches a method comprising: determining whether a shutdown request was made (col. 6, lines 39-48); and disconnecting all connections to the user terminal when the shutdown request was made (col. 6, lines 39-48).

21. As to claim 9, Kerrigan teaches a method comprising: retrieving the plurality of real-time data values on a periodic basis (col. 9, line 58-col. 11, line 22).

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22. As to claim 10, Kerrigan teaches a comprising: notifying a data server thread when a real-time data value of the plurality of data that values have changed (col. 9, line 58-col. 11, line 22).

23. As to claim 11, Kerrigan teaches a method comprising: determining whether a page changed is required; receiving by the data server thread a plurality of new active keys (col. 9, line 58-col. 11, line 22); and transmitting the plurality of real-time data values to the user terminal through the data server thread (col. 9, line 58-col. 11, line 22).

24. As to claims 14, 19, 22, 27, and 31, they feature the same limitations found in claims 6-11 and are therefore rejected for the same reasons as claims 6-11.

### ***Response to Arguments***

25. Applicant's arguments with respect to claims 1-17 and 19-35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

26. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 3/20/2007 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is (571) 272-3893. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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